**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE SIDE**

**CIVIL APPLICATION NO.598 OF 2004**
**IN**
**SECOND APPEAL NO. 553 OF 2004.**

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| Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
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**CORAM : ABHAY S.OKA, J.**

**DATED : 3rd Sept., 2004.**

**P.C.:**

1. Heard the learned Counsel appearing for the Applicants. Office noting shows that the Respondents are served. None appears for the Respondents. Second Appeal is already admitted. Hence till final disposal of the Appeal the Decree for specific performance cannot be allowed to be executed. As far as the decree for perpetual injunction is concerned, the same is operating from 28th September 2003. This Court had granted ad-interim stay on 15th June 2004. Hence Civil Application is disposed of by the following order:

. "Execution of Decree for specific performance will remain stayed till final disposal of the Second Appeal. Both the parties will maintain statusquo as of today in respect of the suit property till final disposal of the Appeal. No order as to costs."

**Judge.**